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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

12M2/0523

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/537,843	10/19/95	014	CLARDY, S	1209 05/23/97
First Named Applicant	ERDMANN, ERNST			

TITLE OF INVENTION: 5-(HET) ARYLCARBOXYLIC ACID DERIVATIVES, THEIR PREPARATION AND INTERMEDIATES FOR THEIR PREPARATION

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
0050743997	504-116.000	N34	UTILITY	NO	\$1290.00	08/25/97

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.

III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

3. PATENT AND TRADEMARK OFFICE COPY



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/537,843

EXAMINER

Clardy

ART UNIT	PAPER NUMBER
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1209

9

DATE MAILED:

NOTICE OF ALLOWABILITY

PART I

1. ☒ This communication is responsive to Amendment B and Declaration filed February 21, 1997.
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 15-28 (Renumbered 1-14).
4. ☐ The drawings filed on ___ are acceptable.
5. ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received ☐ not been received. ☐ been filed in parent application, serial no. ___; filed on ___.
6. ☒ Note the attached Examiner's Amendment.
7. ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☐ Note the attached Examiner's Statement of Reasons For Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE DATE "MAILED" indicated on this form. Failure to comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH IN THE ATTACHMENT TO THIS PAPER.
 - a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. ___. CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction, filed on ___ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Examiner's Amendment | <input type="checkbox"/> Notice of Informal Application, Form PTO-152. |
| <input type="checkbox"/> Examiner Interview Summary Record, PTOL-413 | <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| <input type="checkbox"/> Reasons for Allowance | <input type="checkbox"/> Listing of Bonded Draftsmen |
| <input type="checkbox"/> Notice of References Cited, PTO-892 | <input type="checkbox"/> Other |
| <input type="checkbox"/> Information Disclosure Citation, PTO-1449 | |

Art Unit: 1209

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Henry Jiles on May 20, 1997.

The application has been amended as follows:

✓ In claim 15, formula I: the $-C(=O)R^1$ group has been replaced by $-R$.

✓ In claim 16: structure following line 2, the bond has been inserted: $-C(=O)R^1$;

✓ e), last line, the period has been changed to a semi-colon;

✓ f) iii) line 9, "C₁-C₄-halo alkoxy [sic]" has been amended to read:

-- C₁-C₄-haloalkoxy --.

In claim 28, change the period at the end of the last line to a comma, and add the following text to the end of the claim:

C1
with the proviso that R⁶ is not unsubstituted alkyl when R⁴ is unsubstituted phenyl or 4-isobutylphenyl, Z is oxygen and R⁵ is simultaneously methyl or hydrogen.

[The changes in claims 16 (e and f) and 28 were not discussed, but are required to correct obvious informalities in claim 16, and improper multiple dependency in claim 28 which had been dependent on both claims 15 and 26 (itself dependent on claim 15, except for slight variation in the proviso statement which has been inserted verbatim into claim 28, above).


47

Serial Number: 08/537,843

Page 3

Art Unit: 1209

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Mark Clardy whose telephone number is (703) 308-4550.


S. Mark Clardy
Primary Examiner
AU 1209

May 23, 1997